

# **EXHIBIT C**

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1                   **HIGHLY CONFIDENTIAL - OUTSIDE COUNSEL EYES ONLY**  
2                   **UNITED STATES DISTRICT COURT**  
3                   **FOR THE SOUTHERN DISTRICT OF NEW YORK**

4                   **NIKE, INC.,**                   :  
5                   **Plaintiff,**                   :   **Case No. 22-cv-983**  
6                   **v.**                           :  
7                   **STOCKX LLC,**                   :  
8                   **Defendant.**                   :  
9                   -----                   :

10                   **VIDEOTAPE DEPOSITION OF:**  
11                   **BARBARA DELLI CARPINI**  
12                   **NEW YORK, NEW YORK**  
13                   **TUESDAY, JANUARY 10, 2023**

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24                   **REPORTED BY:**  
25                   **SILVIA P. WAGE, CCR, CRR, RPR**  
                 **JOB NO. 5593380**

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2

3

4 January 10, 2023

5

6 9:41 a.m.

7

8 Videotape deposition of BARBARA DELLI

9

10 CARPINI, held at the offices of DEBEVOISE &

11

12 PLIMPTON LLP, 919 Third Avenue, New York, New

13

14 York, pursuant to agreement before SILVIA P.

15

16 WAGE, a Certified Shorthand Reporter, Certified

17

18 Realtime Reporter, Registered Professional

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20 Reporter, and Notary Public for the States of New

21

22 Jersey, New York and Pennsylvania.

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24

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1 HIGHLY CONFIDENTIAL - OUTSIDE COUNSEL EYES ONLY  
2 A P P E A R A N C E S:

3  
4 DLA PIPER LLP (US)  
5 Attorneys for Plaintiff  
6 1251 Avenue of the Americas 27th Floor  
7 New York, New York 10020-1104  
8 (212) 335-4500  
9 Tamar.duvdevani@dlapiper.com  
10 Marc.miller@us.dlapiper.com  
11 BY: TAMAR DUVDEVANI, ESQ.  
12 BY: MARC MILLER, ESQ.

13 DEBEVOISE & PLIMPTON LLP  
14 Attorneys for Defendants  
15 919 Third Avenue  
16 New York, New York 10022  
17 (212) 909-600  
18 Mkbannigan@debevoise.com  
19 Ksaba@debevoise.com  
20 Askapyur@debevoise.com  
21 BY: MEGAN BANNIGAN, ESQ.  
22 BY: KATHRYN SABA, ESQ.  
23 BY: ANITA KAPYUR, ESQ.

24 A L S O P R E S E N T:

25 KIMBERLY VAN VOORHIS, ESQ.  
IN-HOUSE NIKE

MARCELO RIVERA  
VIDEOGRAPHER

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2 counterfeits on StockX's website?

3 MS. DUVDEVANI: Objection.

4 A. Nike is always harmed by the sale of  
5 counterfeit products.

6 Q. Can you give me anymore detail?

7 MS. DUVDEVANI: Objection.

8 A. I believe I've answered to this  
9 question already several times. So Nike gets  
10 harmed by counterfeit being sold in the  
11 marketplace because consumers would believe that  
12 those are genuine while they could be harming  
13 consumers along with taking away sales from Nike  
14 as well.

15 Q. [REDACTED]

16 [REDACTED]

17 [REDACTED]

18 MS. DUVDEVANI: Objection.

19 A. [REDACTED]

20 Q. [REDACTED]

21 [REDACTED]

22 MS. DUVDEVANI: Objection.

23 A. [REDACTED]

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2 [REDACTED]

3 Q. What do you mean by that? How would

4 you quantify it?

5 A. Based on the number that is sold you

6 will quantify how much damage has been done to

7 Nike.

8 Q. So do you have a figure --

9 A. On top of the financial and the image

10 damage to the brand, reputation damage as well

11 will add up, in my view.

12 Q. Okay. So -- but what I want to try

13 to understand right now is the financial damage.

14 Was there any financial damage to

15 Nike from the sale of these alleged counterfeit

16 shoes on StockX's website?

17 MS. DUVDEVANI: Objection.

18 A. I guess that that needs to be

19 quantified, as I said before. So there is always

20 a damage to Nike financial and of brand

21 reputation where a counterfeit is sold.

22 Q. Do you have any specific --

23 A. I don't.

24 Q. -- any other specific details?

25 What is the alleged harm to Nike from

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2 counterfeit Nike product underperforming, as I

3 said before, will not buy Nike products again.

4 Q. [REDACTED]

5 [REDACTED]

6 A. [REDACTED]

7 Q. Who are Nike's core competitors in

8 footwear?

9 A. Adidas, Pumas Under Armour --

10 (Stenographer clarification.)

11 A. Adidas, Puma, Under Armour, a number  
12 of sporting good companies out there are Nike  
13 competitor, main Nike competitor.

14 Q. [REDACTED]

15 [REDACTED]

16 MS. DUVDEVANI: [REDACTED]

17 A. [REDACTED]

18 Q. [REDACTED]

19 [REDACTED]

20 [REDACTED]

21 [REDACTED]

22 [REDACTED]

23 [REDACTED]

24 [REDACTED]

25 A. [REDACTED]

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2 A. Those are the ones that come to my  
3 mind.

4 Q. [REDACTED]

5 [REDACTED]

6 [REDACTED]

7 MS. DUVDEVANI: [REDACTED]

8 A. [REDACTED]

9 [REDACTED]

10 Q. [REDACTED]

11 [REDACTED]

12 [REDACTED]

13 A. [REDACTED]

14 Q. [REDACTED]

15 [REDACTED]

16 [REDACTED]

17 [REDACTED]

18 A. [REDACTED]

19 Q. [REDACTED]

20 [REDACTED]

21 [REDACTED]

22 [REDACTED]

23 A. [REDACTED]

24 Q. Does Nike struggle to sell out

25 limited release products because of StockX's